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5 Intersec Interactive, Inc.

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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 [REDACTED] and [REDACTED]  
12  
13 Plaintiffs,  
14 v.  
15 INTERSEC INTERACTIVE, INC., and  
16 DOES 1-25  
17 Defendants

Case No. cv-15-01145 DMR

**DECLARATION OF DANIEL INTRAUB IN  
SUPPORT OF DEFENDANT'S MOTION TO  
DISMISS AND/OR TRANSFER VENUE**

**DATE: June 11, 2015**  
**TIME: 11:00 a.m.**  
**PLACE: Courtroom 4, Oakland**  
**JUDGE: Ryu**

18  
19  
20  
21 I, DANIEL INTRAUB, declare under penalty of perjury that the following facts are true and  
22 correct to the best of my information and belief:

- 23 1. I am an officer of Defendant INTERSEC INTERACTIVE, INC. in the capacity of general  
24 manager. INTERSEC INTERACTIVE, INC. is a film production company.  
25 2. I am familiar with the day to day operations of Defendant as well as record keeping  
26 practices in the workplace.  
27  
28

DECLARATION IN SUPPORT OF NOTICE OF MOTION  
AND MOTION TO DISMISS OR TO TRANSFER VENUE;

1           3. When Plaintiff [REDACTED] first began as a contractor her primary residence was in Oregon.  
2           We worked extensively together and she mentioned on several occasions where she lived. She  
3           made several trips beginning during the week and extended through the weekend to Oregon.  
4           The reason for her visits were to relax after the week and visit her cat.

5           4. Intersec Interactive, Inc. (INTERSEC) has always maintained an office in New York.  
6           [REDACTED]'s residence has served as an Intersec office since 2003 when it was purchased.  
7           Prior to 2011, the offices were at [REDACTED] in Brooklyn New York. In 2011, the  
8           office was at [REDACTED] New York NY 10001. From 2012 until now, the office  
9           has been [REDACTED] Astoria New York.

10          5. [REDACTED]'s primary residence has always been the Hamden New York location. ([REDACTED]  
11          [REDACTED] Hamden NY 13782) The Emeryville apartment was a company apartment  
12          rented for the purpose of convenience as providing housing for performers. [REDACTED] was  
13          allowed to use that apartment as his capacity as owner. That apartment is no longer being  
14          rented (as of March 2015).

15          6. [REDACTED] is an erotic performer with the ability to work at various adult entertainment  
16          companies. She has done shoots for Meadhall (paintoy.com). [REDACTED] is currently associated  
17          with and apparently modeling for Digital Dark LLC. That appears to be plaintiff [REDACTED]  
18          [REDACTED]'s corporation. The digitaldark.org web site is a direct competitor of Intersec. This  
19          lawsuit is an attempt to destroy the INTERSEC business in order to monopolize the market.  
20          (See Exhibit A.)

21          7. [REDACTED] was not expected to be present at Intersec's office. She had an agreement with  
22          Intersec that she would work in our facilities as a courtesy for her. She set her own hours  
23          which were typically around five and a half per day not including lunch breaks. [REDACTED] was  
24          paid on a daily basis not an hourly basis. All references to hourly reporting were only for  
25          accounting purposes (i.e. to show allocation of resources for various projects). [REDACTED] was not  
26          terminated. [REDACTED] decided to have me Daniel Intraub, perform these duties.

27          8. The organizational chart was not created by Intersec, its officers nor employees. It is not  
28          accurate now nor was it accurate when either [REDACTED] or [REDACTED] were contracted with Intersec.  
            Instead, this chart was made by an unknown person.

            DECLARATION IN SUPPORT OF NOTICE OF MOTION  
            AND MOTION TO DISMISS OR TO TRANSFER VENUE;

1 9. [REDACTED] signed the Independent Contractor Agreement of her own free will and made no  
2 statements with respect to any negotiation. Though she was asked if she accepted it, she made  
3 no protests.

4 10. [REDACTED] was not assigned Site Manager of the "TopGrl" site. She requested to be what we  
5 call the "Director" of the "TopGrl" site. She was in fact given a commission based on its sales  
6 as an additional motivational factor to encourage her to perform well.

7 11. The work [REDACTED] was performing had natural due dates based on regular updating of  
8 Intersec's sites. These were communicated to [REDACTED] and she was subsequently left to work on  
9 her own. The schedule that she agreed upon was rarely adhered to. She was never penalized  
10 nor confronted for arriving to our office or leaving the office at a time different than she  
11 indicated.

12 12. The office was provided as a convenience for [REDACTED] to work in. She chose when she  
13 would come in and when she would leave. The laptop she was provided, which she still has,  
14 was loaned to her, at her request, as an accommodation, because she didn't like having a  
15 personal computer. Instead she claimed on many occasions that her telephone was all she  
16 needed. When her request to be Director of TopGrl meant that she would need to do video  
17 editing, she requested that we give her a used computer from [REDACTED].

18 13. [REDACTED] was not terminated. The statements made in the email were meant to transfer the  
19 reporting functions of several Independent Contractors to me Daniel Intraub. [REDACTED] no  
20 longer felt he was able to handle the stress of maintaining his business relationship with the  
21 contractors. Each and every contractor negotiated their contract with me after said meeting.

22 14. [REDACTED] was paid a daily rate. The request for a time sheet was for accounting purposes  
23 only. [REDACTED] never submitted one. She was still paid for each day she invoiced for.

24 15. [REDACTED]'s recollection of the conversation at TUNA is completely skewed and is evidence  
25 of her pre-existing psychological issues which she sees a therapist for. During many  
26 conversations, [REDACTED] explained her extreme social anxiety and her extremely judgmental  
27 nature. She contorted my story about being lied to about a person's age. My contact with said  
28 person was never physical or of a sexual nature and [REDACTED] was explicitly told that.

16. [REDACTED] did speak with his attorney about the matter as well as with me. It was

DECLARATION IN SUPPORT OF NOTICE OF MOTION  
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1 determined that she had lied and created the story. Her contact with the FBI was an obvious  
2 sign of her mental disability.

3 17. The photographs [REDACTED] refers to in her Declaration were behind the scenes images taken  
4 on an erotic photoshoot. They were hardly inappropriate considering the venue. Several  
5 security cameras have been installed in the office. There is expensive equipment in the  
6 premises and these are for security. One of these cameras was installed in the only location  
7 where the front entrance to the building could be viewed. That does happen to be in the  
8 bathroom, but the camera faces outwards, despite the inferences the declarant seems to make.

9 18. Plaintiff [REDACTED] claims that he was told by me that I lived in San Leandro. As of  
10 February 13 of 2014, I had no further communication with Mr. [REDACTED]. Yet the fully  
11 executed lease wasn't finalized until September of 2014. (Exhibit B, a fully executed lease,  
12 is attached.)

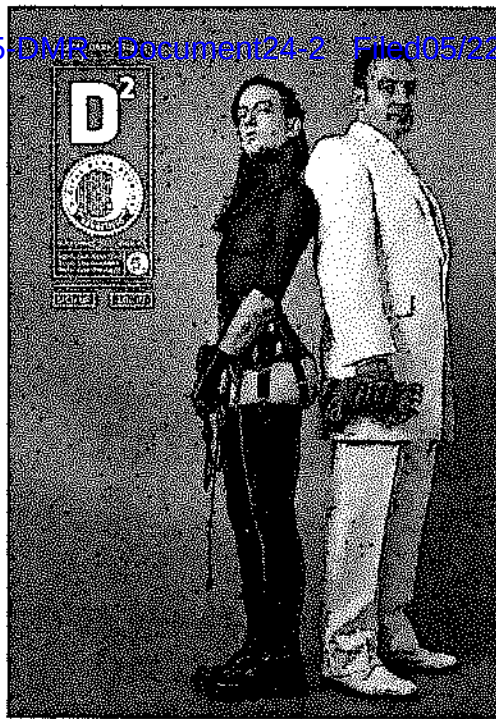
13 19. Plaintiff [REDACTED] has made statements on several occasions that he has trust funds and a  
14 large stock portfolio. I and several other people at Intersec visited his mother's house at [REDACTED]  
15 [REDACTED]. He is from the East Coast and has at many times  
16 claimed he has good friends there who would put him up if he needed. He is also a member  
17 of the competing website digitaldark.org which is the main website of the corporation he  
18 owns (Digital Dark LLC). digitaldark.org is a competing website. This lawsuit is an attempt  
19 to destroy INTERSEC, its competition with a legal attack.

20  
21 Respectfully submitted,

22  
23 Dated: May 20, 2105

24   
25 DANIEL INTRAUB

# EXHIBIT A



## d2 artists portal



## latest artist releases



## about us

digital stark was formed by an underground collective of revolutionary artists of bondage, bdsm and unbridled sexuality. at digital stark, our mission statement is to bring back the original methods of rope bondage, bdsm and combine it with new, humane techniques for the use of perversion and sex collectors. cyd black and elise graves have each developed a look into the deeper layers of bdsm the now conforming acts of bdsm and the true evolution of the submissive and the dominant, strapping away the confines and conventionality of today's vision of fetish and the no longer taboo nature of being cyd black and elise graves bring an organic approach to present day exhibition bondage and bdsm using artistic techniques.

cyd black's character and mastery of intense rope bondage, friskies also known as fisting is beautifully exhibited and conveys a deep understanding of the visceral and headful nature in the movements of fisting, teaching entry level, intermediate and professional grade people to appreciate the rigorous erotic movements of the rope bondage craft he puts it as accessible to the novice as it is for those well versed in the artistry of the rope.

as complementary to cyd, elise graves shows her prowess and familiarity with all bdsm encompassing everything and anything, elise's nature's belief that all sexuality, desire and curiosity is fluid and open, allows the audience to explore all forms of body domination and love of fetish, though her control, it's essential to her approach, for all bdsm niche categories is expansive, fluid and spread in its fearless pursuit of sexual acceptance.

with a team of devoted people, digital stark aims to change the way bdsm and exhibitional rope bondage is seen in today's adult industry landscape, we at digital stark are artists, revolutionaries, performers and lovers of the device, the time and the unconventional.



 **EliseGraves** Pics 34F Switch (Oakland, California)

[← return to profile](#) | [browse all pictures](#) (7) | [pictures \(97\)](#)



*Oh, just me. Sitting in Mistress Miranda's fucking amazing medical facility in London. Wearing a super hot red latex dress. Sporting a totally amazing Rubber's Finest hood. Complete with video specs in the hood as well. I am a very lucky girl.*

*- EliseGraves | about 1 month ago*





Elise Graves · Pies 34F Switch (Oakland, California)

Return to profile | Browse all pictures (7 pictures (2/7))



Okay, so I now have a definitive answer when people ask me "What is the most intense experience you have had?" Thanks to my recent visit to PainFiles in England, they taught me the difference between how we (the US, aka Intersec) stick needles up fingernails (which is very carefully and not so deep) and the way they do it (which is also carefully, but WAY deeper!!!!!!) It was, indeed, a very intense experience, times nine (nine nails!) I am glad I had this experience, but I don't see myself ever needing to do that again!!!

- Elise Graves, 1 month ago



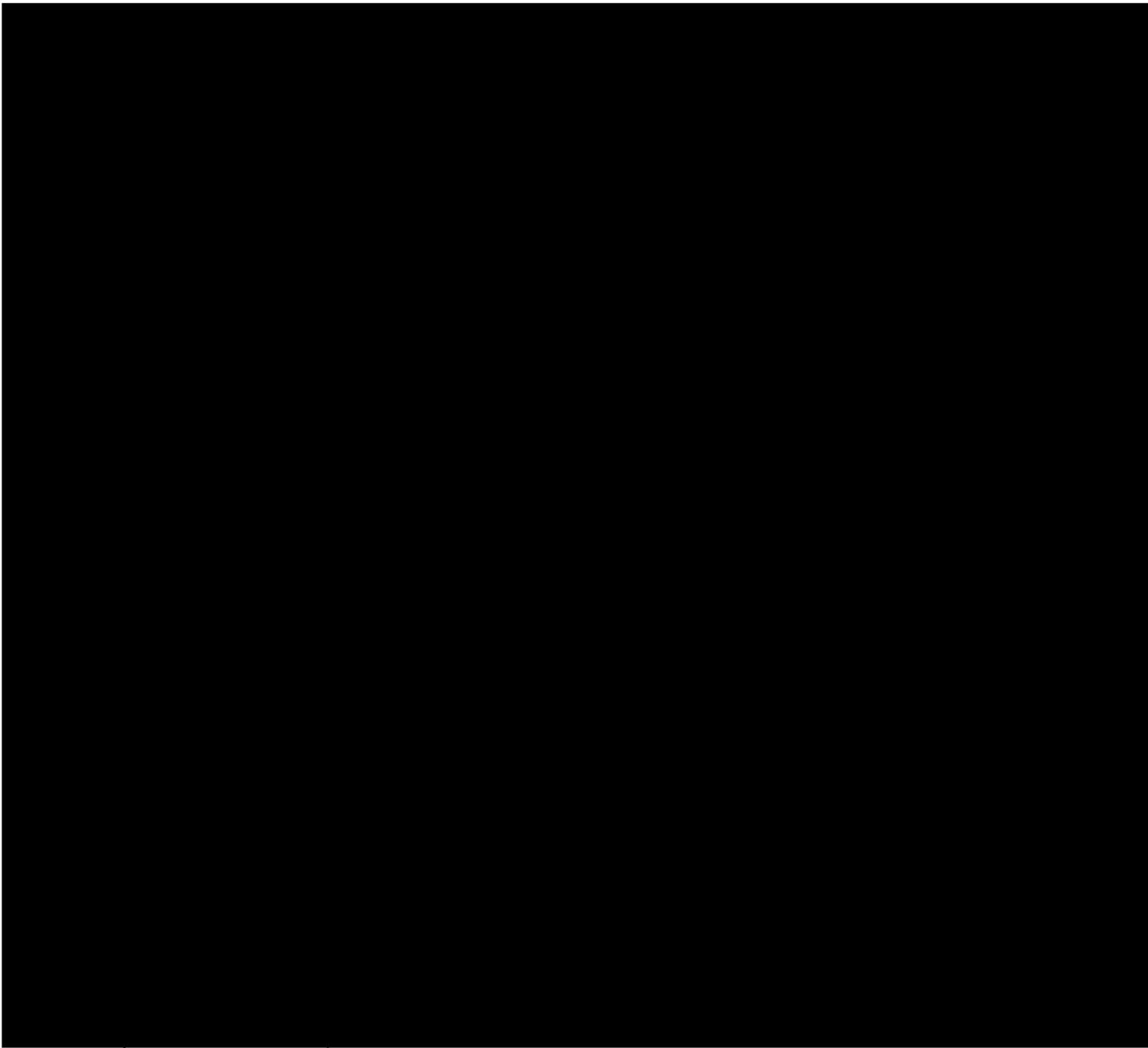
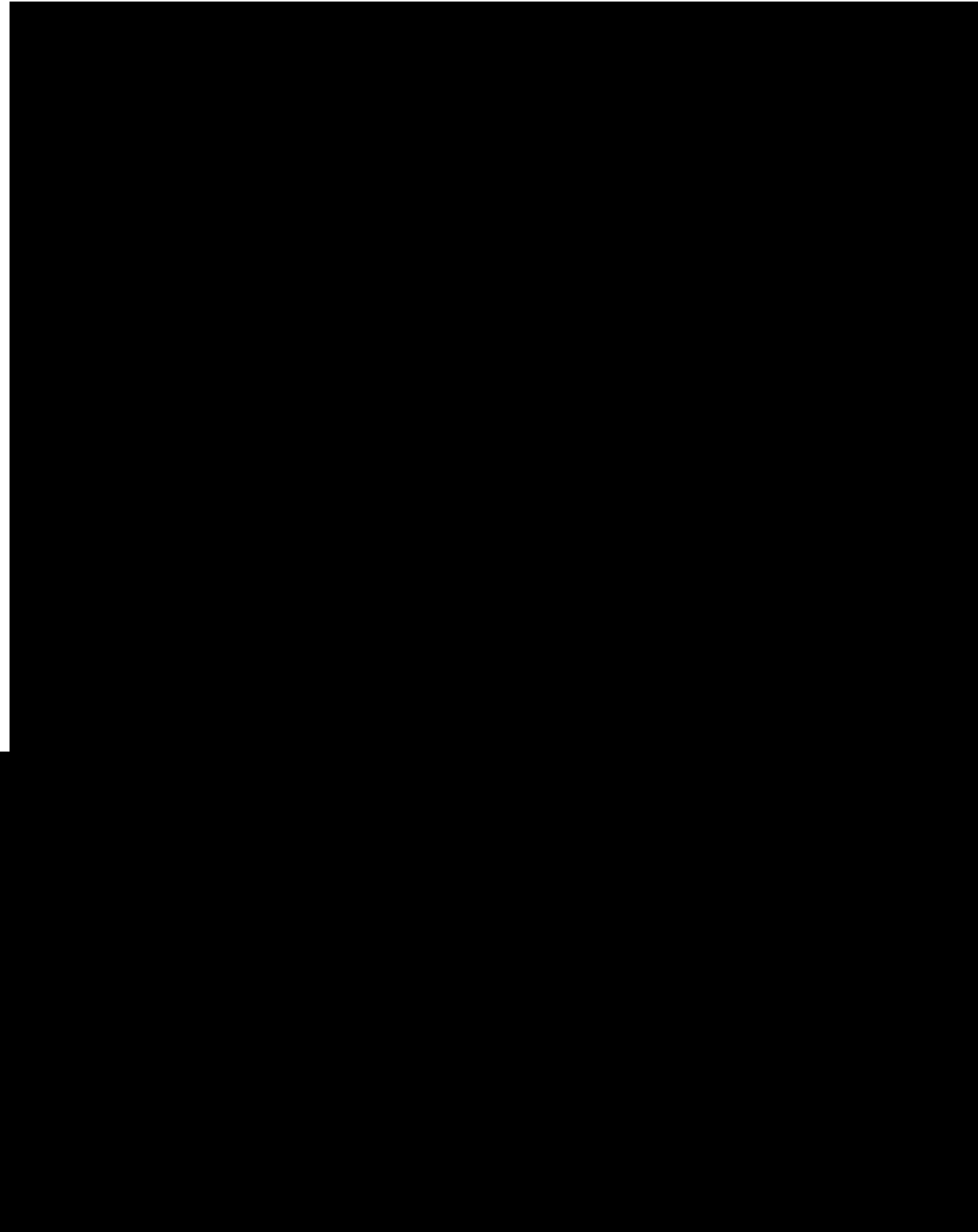


Figure 1. Schematic diagram of the experimental setup.

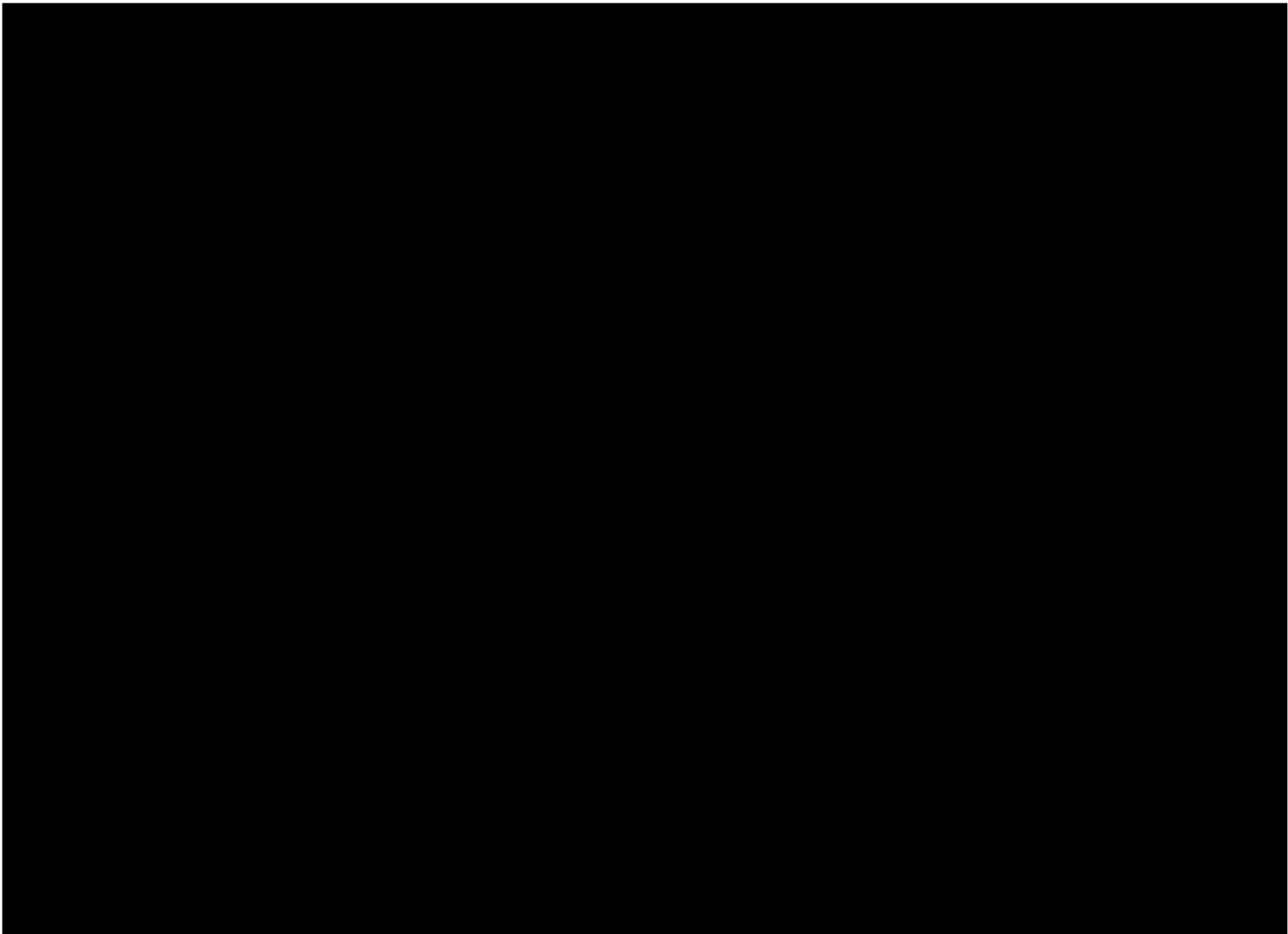
Figure 2. Schematic diagram of the experimental setup.

# EXHIBIT B

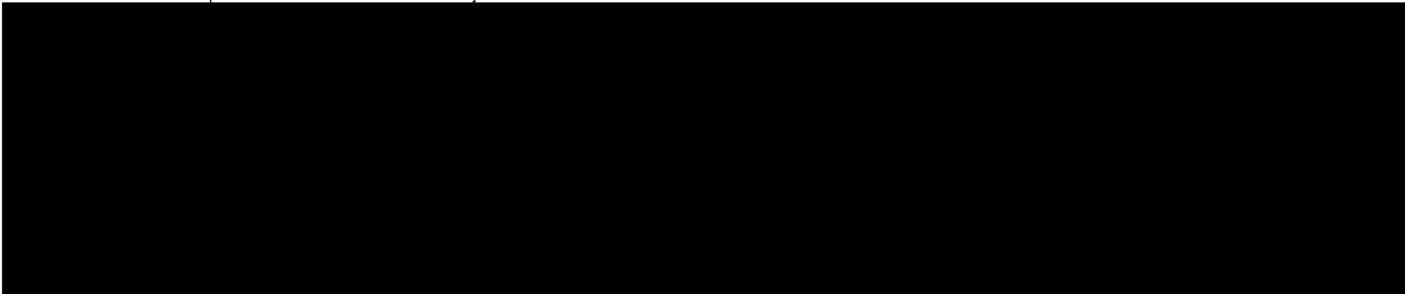
**Lease Agreement**







10/10/2019 10:10:10 AM



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]